

IN DIE HOOGGEREGSHOF VAN SUID-AFRIKA
(TRANSVAALSE PROVINSIALE AFDELING)

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SAAKNOMMER: CC 482/85

PRETORIA

1988-03-29

DIE STAAT teen:

PATRICK MABUYA BALEKA EN 21

ANDER

VOOR:

SY EDELE REGTER VAN DIJKHORST EN

ASSESSOR : MNR. W.F. KRUGEL

NAMENS DIE STAAT:

ADV. P.B. JACOBS

ADV. P. FICK

NAMENS DIE VERDEDIGING:

ADV. A. CHASKALSON

ADV. G. BIZOS

ADV. K. TIP

ADV. Z.M. YACOOB

ADV. G.J. MARCUS

TOLK:

MNR. B.S.N. SKOSANA

KLAGTE:

(SIEN AKTE VAN BESKULDIGING)

PLEIT:

AL DIE BESKULDIGDES: ONSKULDIG

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COURT RESUMES ON 29 MARCH 1988.

MOHAMMED DANGOR, d.s.s.

FURTHER CROSS-EXAMINATION BY MR JACOBS : Mr Dangor, I would like to refer you back to one of the documents handed in by you. I think it is the minutes of the 1979 annual conference. That was the sixth document referred to by you. It was not handed in as exhibit. The second page of it is page 17. Is it correct? Point 6 on that second page. "The conference confirms and reiterates its statement of identification with the goals of the ANC and the PAC and expresses its (10) confidence in our membership of the South African black alliance. It is only through a united front that we can rid ourselves of the discrimination in the country of our birth and therefore conference considers it imperative and a priority that the labour party makes an all out effort to effect unity of purpose within the diverse South African community and formulate a united modus operandum and promote alliance to undo the successful divide and rule tactics hitherto employed to by the government and its predecessors throughout the history of South Africa. Although there (20) are divergent strategies, a common unity could be effected amongst the dispossessed and disenfranchised community and which will be a guarantee for our victory over the minority government of South Africa." The first point that I want to take up with you is according to this the conference confirms and reiterates that means that it was previously also decided by the conference or by the labour party to identify itself with the goals of the ANC and the PAC. Is that correct? -- That is correct.

Were you present at the previous stage as well? -- I (30)
was/...

was present where some other resolution of this nature was taken.

When was that? -- I cannot recall the exact date.

So, is it then part of the labour party policy that the labour party identifies itself with the goals of the ANC and the PAC? -- Insofar as - there was a common identification of one man one vote in a unity system.

Is that the truth? -- That is the truth.

Because I put it to you that in this same paragraph it also restates a goal of the ANC that it is only through(10) united - through a united front that we can rid ourselves of the discrimination. That is also in accordance with the goals of the ANC, to work towards a united front of all the people? -- I am not aware of those goals as stated.

But surely as an expert on the policy of the labour party, you must know what the goals - because it is in the plural here - of the ANC are? -- The goals as stated at that particular point in time was common citizenship in a unitary system.

Where is it stated? -- It is not in this particular (20) portion, but that was the understanding when it reiterates that.

Do you know whether the ANC and the labour party were in contact with each other? -- No, I do not know whether the labour party or the ANC were in contact with each other.

Was it ever reported to the party that some of the leaders or members of the executive of the labour party met members of the ANC? -- No, not officially.

Otherwise? -- I do not know.

I have got a document here. That is "The second (30)
national/...

national consultative conference of the African National Congress held on 16 to 23 June 1985" and I would like to refer you to page 29 of that document.

MR TIP : Is this document an exhibit before your lordship?

COURT : I do not know. You must tell me.

MNR. FICK I am not aware of it being before court and I wonder on what basis it can simply be put to the witness.

COURT : It may well be that the witness agrees with the document. Counsel is attempting to put the document before court if it is not an exhibit yet. (10)

MR JACOBS : I would like to refer you to two paragraphs in this. On page 29. It is a 1981 anti-republic campaign and on this page the second last paragraph "In this regard we should also mention that in 1980 we experienced the massive involvement of coloured people in the mass struggle. Of particular importance is the fact that this struggle took place in the Western Cape. The main area of concentration of the black masses and historically the main stronghold of Trotskyism in our country. Furthermore these coloured masses acted together with the African brothers and (20) sisters. The stay at home called in the region for the days June, 16 and 17 of that year succeeded because both sections of the black population supported it. Even when the Fascist police shot down forty patriots at the end of June that year, the only result was to weld the coloured people even more firmly to the mass forces of our revolution, committed to the objectives spelt out in the freedom charter and loyal to the leadership of our movement." And then the next paragraph "This is a period when the labour party with whom our movement had been in contact responded to mass (30) pressure/...

pressure to the extent of bringing about the downfall of the CRC, declaring adherence to the freedom charter supporting economic sanctions and announcing its attention to co-operate with the ANC." Do you know, is it correct then that the ANC had been in contact with the labour party? -- This is the first time I have seen the nature of this kind of document in front of me. I do not have any knowledge of this contact ever taking place.

Is it correct that the labour party before, at the time when you were a member still, adhered to the freedom(10) charter? -- No, we had never adopted the freedom charter.

Did they adhere to the freedom charter? -- They never adopted or adhered to the freedom charter.

You yourself? -- I see the freedom charter as a document of negotiation. The document when it comes to a national conference which would in fact be an important document, as will other documents be that is place before that national convention. It is a basis for negotiation and not an end in itself.

Was it policy of the labour party to support the economic sanctions campaign against the Republic of South Africa? -- (20)
It was policy of the labour party to support the disinvestment of divestment campaign.

And was it also at that stage part of the labour party to bring about the downfall of the CRC, I suppose that is the coloured representative council? -- That is correct.

Is it not so that one of the - my lord, I will not hand in this document as the witness cannot identify it. Is it correct that one of the goals of the labour party was a national convention? -- That is correct. (30)

So/...

So, the concept then of a national convention is a support of the goals of the ANC for a national convention? -- I do not know if the ANC supports the national convention or not, but I have read in the press that in fact they do not support a national convention that was envisaged by the labour party at that point in time.

So, you do not know that the ANC was in favour of a national convention even at the time of the congress alliance? -- That is correct. I was not a member of the congress alliance. (10)

But do you know the history and the goals of the ANC at that time? -- I think at that point in time there were, I am not too sure if they were or were not in favour of the national convention.

COURT : I want to ask you something on the national convention. Did your party have any pre-conditions for a national convention? -- That everybody with an interest in the stake should be at that national convention, including people who are in jail and those who are in exile.

Yes, but now not everybody in South Africa could be (20) at a national convention conceivably. Then you would have twenty million there? -- That is correct.

So, people would have to be represented? -- That is correct.

Was it necessary for that purpose let everybody out of jail? -- That is correct.

Why? Could they not be represented?-- The view was that an atmosphere conducive to a national convention had to be brought about, so that the people can in fact negotiate. (30)

ASSESSOR/...

ASSESSOR (MR KRUGEL) : When you say everybody out of jail what do you mean by that? -- All those who have been convicted of political sentences.

COURT : What is a political sentence? -- Those who have been convicted of either expressing their views or who have been convicted of acts against the state.

ASSESSOR (MR KRUGEL) : And murder? -- Murder I do not believe is one of them.

COURT : Can an act against the state not consist of murder?
-- It could. (10)

What about those? -- They were talking particularly about people like Mr Mandela and Mr Sisulu, Mr Kathrada and Mr Sobukwe, those in exile, people of the BCM movement.

Of the? -- Black consciousness movement. The national party, the labour party, Inkatha, the reform party, the Herstigte Nasionale Party.

Yes, now, reverting to my original question, your pre-conditions were that those in jail for political offences be released, that the exiles return. -- That is correct.

Were there any other pre-conditions? -- There were (20) no other pre-conditions.

Those were the only pre-conditions? -- Those were the only pre-conditions.

MR JACOBS : I put it to you that the idea of the national convention originated from the ANC in the 1960's? -- It may have. I am not aware of that.

And that was one of the goals of the ANC ... -- To establish a national convention?

Yes? -- I do not know, but if it is so, then I must accept it. (30)

I/...

I put it to you further that this is one of the goals of the ANC that the labour party confirms and adheres to?

-- No, I would not say that.

But you cannot tell the court because you even do not know the aims of the ANC in the 1960's and that it was all along an aim on the national convention? -- That is correct.

I beg your pardon? -- I did not know the aims.

Then you cannot be an expert on the labour party as you indicated to this court. -- As far as my own experience is, and as far as the leadership of the party and conference (10) had taken decisions on its own initiative, yes.

COURT : I do not follow the logic, Mr Jacobs. When he is an expert on the policies of the national party, can you then be cross-examined on the policy of the progressive federal party?

MR JACOBS : No, it is on the basis that they reiterated and they adopted the aims of the ANC.

COURT : The witness does not say that.

MR JACOBS : But the party said so.

COURT : The witness says "We identify with the goals of the (20) ANC and the PAC and it limits those goals as qualified by it." One man one vote in a unitary system. That he says is the goals. Are you saying that when this conference expressed these sentiments it also had in mind the policy of violence of the ANC or PAC? --

MR JACOBS : We do not know if - there is nobody to explain it to us, but there are more than one aim of the ANC and somebody must explain which aims they adhere to and ... (Court intervenes)

COURT : Well, you can ask the question, but you must not (30) criticise/...

criticise him on the basis of expertise if he cannot tell you what goes on inside the ANC.

MR JACOBS : I put it to you then further that the idea of a national convention did not crop up in the labour party for the first time? -- The idea of a national convention has always been with the labour party.

Even before your time as a member of the party itself?

-- Yes.

And you cannot tell the court where the idea of a national convention came from? -- No. (10)

COURT : I may have forgotten, when was the labour party founded? -- In 1977. Sorry, 1967.

MR JACOBS : Did there exist a political party for the coloured people before the formation of the labour party? -- Coloured people as such did not belong to specific little organisations. They belonged to things like the Non-European Unity Movement, South African Coloured People's Congress and belonged to the Progressive Federal Party. It belonged to the United Party and some in fact voted for the Nationalist Party. (20)

You said some of them were members of the South African Coloured People's Congress? -- That is correct.

And they were part of the congress alliance during the early sixties? -- I have read about that, yes.

Did some of the members of that congress alliance find a way into the labour party? -- There must have been people who came to the labour party.

And is it not so that the concept of a national convention came from that period in the 1960's, the period of the congress alliance? -- I think basically to narrow the (30)
idea/...

idea of a national convention and to make it as small as coming from one particular call, is not correct. I think that the idea of a national convention came from various quarters. Including the progressive reform party.

But that was later on, was it not? It originated from the time of the congress alliance? -- I do not know that.

Do you know that another of the goals of the ANC from the start, from the 1960's was the achievement of a united front of all the masses in South Africa? -- I do not know that. (10)

Is it not what is said here also, restated in this paragraph that I have read to you in your paragraph 6 here? Is there not a reference to a united front? -- The leadership of the labour party had always called for a united front.

Was the congress alliance not regarded as the first united front in the history of the South African freedom struggle? -- It may have been.

Do you know that? -- I do not know that.

What is the purpose of this united front? -- If there (20) was a united front then possibly we could convince the nationalist party to meet with us at the national convention, that they could recognise that there was a sizeable amount of people on the other side wanting this kind of national convention and wanting to meet, to talk about the future South Africa, yes, that was the purpose.

What is the purpose depicted in this particular paragraph, paragraph 6 "Only through a united front we can rid ourselves of discrimination"? -- If for example all the political organisations had come together in this country and had (30) shown/...

shown that people are willing to come together and we could then convince the nationalist party that they should come to such a national convention, possibly we could have achieved a different South Africa.

Does it only mean in regard to a national convention that there must be a united front? -- The pivot of the United Front was a national convention.

COURT : Mr Jacobs, I think as you are concentrating to such an extent on paragraph 6 at page 17 we must make this an exhibit, because otherwise we will have difficulty in(10) picking up the gist of it.

MR JACOBS : It was my intention to ask the court in the end to make it an exhibit.

COURT : You must do that in advance. It makes it much easier for the purpose of taking notes. Do you want both the pages or only the one page?

MR JACOBS : He referred to the other evidence already in his evidence.

COURT : It will be DA124. What do we call it? Pages 12 and 17 of the minutes of the 1979 annual conference. (20)

MR JACOBS : Is that correct, Mr Tip?

MR TIP : That is correct. Perhaps it might be useful just to record as well that the date of that conference being 27 to 29 December 1979.

MR JACOBS : Is it not correct that the United Front depicted here is a front of all the people in the freedom struggle against the government? -- It is a united front to show that most of the people in this country in fact support a national convention.

Well, then I do not understand the last part or the (30)
last/....

last sentence of this "a victory over the minority government of South Africa." -- When politicians speak, they speak with a certain kind of rhetoric and if we look at that rhetoric and look behind that rhetoric, we are actually talking about bringing the nationalist party into that convention. They would no longer be a minority then. They would be part and parcel of the entire convention.

You are not answering my question. You are evading it, because it is saying here, a united front will be an important part in a victory over the minority government of (10) South Africa. -- I am not evading that question. Let us look at what victory means and what the methods of victory are. I mean, for a long time what was projected by the media and by the state was one of ideological differences and clearly what we have in South Africa is not ideological differences. Our problem in South Africa is racism. Our problem is racism in that most of the people who are not white have been denied basic rights within the country and if we look at that, we will see a change which speak about overcoming kinds of things. It does not only mean violence. (20) It also means changing the hearts and minds of people, creating a new vision for a new South Africa, sharing that vision.

Is it not one of the aims of the ANC to unite the masses in the country to take part in a liberation struggle against the government of South Africa? -- I have no knowledge of what the purposes of the ANC are.

That is a goal of the ANC. -- I do not know that that is a goal of the ANC.

Do you know about the ANC being engaged in a liberation (30) struggle/...

struggle or a national liberation struggle? -- All of us in South Africa know the rhetoric that comes up on both sides. I know that this is what is being said.

ASSESSOR (MR KRUGEL) : Which two sides are you referring to now? -- From the nationalist party and from all organisations, those opposing the nationalist party, whether they differ from their strategies or their methods or their end goals.

MR JACOBS : But I am not asking you about the nationalist party. I am asking you about the ANC, whether it is a goal (10) of the ANC to achieve the unity of the masses? and to engage them in a national liberation struggle? -- I do not know that.

Do you know anything about the liberation struggle? -- Yes. The liberation struggle was mentioned in the labour party on quite a few occasions and liberation means liberating one in that sense from the shackles of the mind, from the shackles of being left in a person, from liberating the mind from believing that because you are black you are nothing and because you are white you are something. (20) A liberation means in those terms that everybody will get an equitable share of the opportunities that are available in the country. That everyone will have a vote in the country and that that vote would not be different, that that vote would carry the same amount of weight.

Is it then only liberation in the mind or is the liberation from - in the sense of another kind of government? -- Clearly if we have liberated the mind and changed the vision and the attitudes of people, then we would have change in this country. Then the government of the day (30)

who/...

who is the nationalist party would come to that national convention and talk about a new South Africa.

The only liberation struggle that you in the labour party at that stage knew of is the liberation struggle in trying to get a national convention and trying to get the people to think otherwise? -- That is correct.

Is that all? -- As part of it.

As part of it? What is the other part? -- Really it was to uplift the quality of life of people living with the eye on the present circumstances. If we look at an area (10) of Newclare at the moment, I can take you there today, there are thirteen families living on one plot sharing one toilet having one tap. Liberation in those circumstances mean uplifting the quality of life for those people.

Did you know that it was also a goal of the ANC to unite the masses because they are an important weapon in the struggle for total liberation? -- No.

Is it not so that it is the goal of the ANC that - and this whole concept of a united front - it is only through the unification of all the oppressed in united action (20) that the total liberation of this country, South Africa, can be achieved? -- I have heard that call being made by Chief Gatsha Buthelezi. I have made the very same call being made by Mr Enos Mabuza of Inyanza(?). I have heard the very same call being made by the Reverend Allan Hendrickse who was not too long ago a member of the cabinet. I have heard that very same call being made by the deputy leader of the labour party, Mr Richards. I heard the very same call being made by Mr Chinsamy from the reform party. I have heard the very same call being made by Dr Bhengu (30)

of/...

of Inkatha. I have heard that very same call made by people in the black consciousness movement in the past.

And that was before you heard it from the people in the labour party before they decided to join the government? -- As it were they said that at that time, they spoke about negotiations which were intrinsic in what they were saying.

ASSESSOR (MR KRUGEL) : Did you say Mr Richard Curry? -- Mr Richards and Mr David Curry.

Oh, Mr Richards? -- Yes. (10)

MR JACOBS : Do you agree that that does not only refer back to liberation in the mind, but it is liberation in another sense as well? -- If we talk liberation in another sense, liberation means the quality - my definition of liberation and my understanding of that liberation was the uplifting of people and the breaking of racial bonds, the breaking of the apartheid colour bar. It did not mean a violent movement.

Do you know that it is also the aim or the goal of the ANC to create a united democratic South Africa on the (20) principles outlined by the freedom charter? -- I have no knowledge of the goals and the aims of the ANC.

You have no knowledge of the goals and the aims of the ANC? -- I have no knowledge as stated by the gentleman there as to what those goals are. I have knowledge of the goals as expressed by our national conference as to what those qualified goals were that of one man one vote in a national convention.

And to create a government of the people in terms of the freedom charter? -- I do not have any knowledge of (30) that/...

that.

You never heard anything about that? -- I have had an occasion to have read in the press about that.

Do you know of the aim of the ANC to organise and mobilise and politicise the masses in South Africa or the oppressed masses as it is always called so that they must play an important part of the achievement of total liberation? -- I have no knowledge of that goal of the ANC.

Is that not what is referred to in paragraph 6 here? -- No, that is not what is referred to in paragraph 6. (10)

To formulate a united modus operandum and promote alliances to undo the successful divide and rule tactics hitherto employed by the government and its predecessors throughout the history of South Africa? -- For very many years people were divided, were divided along racial lines, across religious lines, across other lines. Inculcation of division was there intrinsic all the time. I can remember growing up at some point in time when there was tremendous Muslim Christian enmity in the community and this was fostered from people from outside, until people saw that (20) they had no differences. That people were divided into those who were in our community at one time of a lighter colour to those with a darker colour. Those who were accepted as being "beter gebaster as die ander een." People were divided along those lines all the time. We had to overcome those kinds of things, that to overcome the kind of differences within organisations as well, is that people had to find unity, had to find themselves as human beings, and not on the basis of ideology only.

Was it part of the policy of the labour party to (30)
mobilise/...

mobilise and organise people and to unite them? -- It was part of the labour party's and any other political organisation's program to mobilise people and to bring them into their membership. It was part of the freedom party's program to do that.

Does it mean to bring it into the membership of the labour party itself? -- That is correct.

Was the labour party's policy not to go outside the party and to mobilise and organise people? -- It was policy to work on all fronts within and outside of the institu- (10) tions, to improve the quality of life of people outside of the institution as well. I in fact met at once in the process of negotiating with the minister of community development. I put to him the case of people who were being threatened with eviction under the group areas act. We had a long discussion and when he was questioned by a member of the CP - not the CP at that time but from the rightwing elements within the government, he was forced by rhetoric to say that these people did not come out of the sea. They must go back to where they came from. People came from squalid slums and it was part of the (20) labour party's mobilisation process to bring people out of those squalid slums. It was part of the labour party's program to bring people - to improve the quality of life of those persons.

But was it part of the policy to organise different racial groups outside the party to form pressure groups at least? -- Yes.

For what purpose?-- The purpose was to bring about a united situation wherein everybody could come to the national convention. (30)

And/...

And pressure on who? -- Pressure upon the nationalist party.

And the government? -- That is correct.

Do you know that it is also an aim or a goal of the ANC that in order to organise, mobilise and politicise the masses in South Africa, to play an important part in the achievement of total liberation? -- I have no knowledge of that goal of the ANC.

Was that not part of the labour party policy, to mobilise, organise and politicise people outside the labour party (10) in order to play an important role in the achievement of total liberation? -- It is the function of every political party, including the nationalist party - I am not an expert on the nationalist party - to mobilise and organise people. It is the function of the conservative party to do the same thing. It is the nature of a political organisation to do that.

The other parties, the nationalist party and the conservative party are they to liberate to achieve the total liberation of all the people? -- The conservative party (20) policy talks about the liberation of white people from the present tri-cameral system.

You did not answer my question then. What I asked you was, that part of the labour party policy to organise, mobilise and politicise the masses so that they must play an important part in the achievement of total liberation? -- Again there I think we must define what liberation means. I have defined it once. Do you want me to define it continuously? COURT : No, no, just stand by your definition. I want to ask you a question. You use the word mobilise and organise. (30)

Are/...

Are they synonymous in your context, in the political context? What do you mean by them? -- In the political context to mobilise people would be to bring about an organisation of the people within a given community. If there are problems there, to resolve those problems, to address those problems and to see how best you can uplift people around those issues. To organise would be in fact to organise them to within the political fold of that organisation.

MR JACOBS : Do you know that it was also the goal of the (10) ANC to achieve the unification of the masses, that they must be organised, mobilised and politicised by making use of issues? -- I do not know if that is a goal of the ANC or not.

Was it part of the policy of the labour party previously? -- Yes, it was.

And the issues that were used were, the first one is on political prisoners? -- Political prisoners is a human right problem. The labour party was a party that was born out of human rights. (20)

Do you know that this campaign on political prisoners originated in the ANC in the early 1960's and is still carried on by the ANC? -- I do not know if that is one of the goals of the ANC or not.

And that was at the time of this - this originated at the time of the congress alliance to which the coloured people belonged? -- I think at the time of the congress alliance I must have been very young.

Is that your answer? -- I am not aware of that.

Do you know anything of the ANC? -- Except from what (30)

I/...

I read in the press, that is all I know about the ANC.

It was never discussed in your party what goals the ANC had and what you must adhere to? -- Discussed at the party was the fact that we shared a common goal in that we wanted one man one vote in a unitary system.

Did that originate from the ANC? --No, that did not originate from the ANC.

What do you know about the ANC then? -- I did not claim to know anything about the ANC.

And in your party you never discussed any of the (10) goals of the ANC? -- No, except for those three.

Those three? -- One man one vote in a unitary system.

Yes, but I asked you now, did that originate from the ANC? Was that an ANC goal? -- No. That originated from the Reverend Allan Hendrickse.

So, that is one. What is the other one? -- One man one vote in a unitary system.

In a unitary system, but you mentioned three? One man, one vote, in a unitary system.

Even this is not the goal referred to in this paragraph(20) that emanates from the ANC then? -- No.

What goals are you referring to here - what goals are your party referring to here at that time when this was discussed? -- Can I read the paragraph again. (Witness reads paragraph)

So, I will ask you again. According to this, the labour party at that stage confirms and reiterates its statement on the identification of identification of the goals. I am asking you of different organisations, but one of them is the ANC? -- I have defined those goals already. Should I (30)

repeat/...

repeat them again?

No, you tried to - you said one man, one vote, in a unitary system is not the goal of the ANC you did not know it. So, I asked you what goals did you discuss at this conference? What goals are you referring to that you identified yourself with?

COURT : The witness did not say it was not a goal of the ANC. He said it did not start with the ANC.

MR JACOBS : But I asked him the next question if it was the goal of the ANC and he said no. He said it originated (10) from Mr Hendrickse. Can you answer me? -- The answer is that this originated from the labour party within itself and as should at that conference that what I have enunciated were the goals of the ANC that we had shared.

Of the ANC? -- And the PAC and the South African Black Alliance.

COURT : At the time when this was written, was the ANC and the PAC not - were not the ANC and the PAC illegal organisations? -- Yes, they were.

Why put it in the minutes? Why identify with their (20) goals? Why not state your own goal? -- I think it was in the sense to set a broader goal and to identify with a broader of mass of people and to say that so very many people shared these goals and so very many people would like to come to a national convention.

MR JACOBS : Do I understand you correctly then that you cannot enumerate one single goal of the ANC? -- That is correct, except for what was stated in this instance.

When you say except, what do you mean by except? Except what? -- Except what I have enunciated already. (30)

You/...

You never mentioned one single goal of the ANC which you can remember or that you know. Is that correct? -- That is correct.

So, I put it to you that the issue of political prisoners was a goal of the ANC which emanated from the ANC and it was not something new taken up by the labour party? -- I think the issue of political prisoners is not something that can be confined to one particular political organisation as stated by the gentleman there. I think the issue of political prisoners is an issue of human (10) rights, is an issue of human rights that I am as concerned about political prisoners in South Africa as I am concerned about political prisoners within the Soviet Union, as I am concerned about political prisoners elsewhere in the world. That human right is an issue.

Do you know whether a lot of these political prisoners were murderers and convicted by the courts of murder? -- I am not aware of that. I am aware that some of them were convicted of crimes.

Of murder? Let us take them one at a time? Did you(20) know that? -- Are we talking here about detainees, political prisoners?

No, it is not saying detainees here. It is referring to political prisoners. You even yourself referred to Mandela in your evidence. -- That is correct.

As the people's leader? -- That is correct.

Were some of them found guilty and convicted of murder? -- I think we must take them into context here. What had happened in South Africa over the years. I understand some of the frustrations that some of those people went (30) through/...

through. I tried to understand them. I do not have all the facts at my disposal. For example what makes anybody do a thing? People do not react just out of malice. I myself have seen on the railway station when I was about thirteen or fourteen years old where some young policeman who was no more than eighteen years, said to my mother "Kom, Hotnot, kom" and I was very upset at the young policeman, because that was a position of attitude. I could have reacted. I was angry at that time. When we talk about political prisoners we must look at that in the entire (10) context of this country. Without being- trying to be facetious, I think we must look at the composition of this court-room. I think your lordship must look at who sits on the bench and who sits on the other side. This is a matter of - it is a political problem. It is a matter of bridging. I think in order for us to bring about change in this country, a lot of us are going to have to in fact compromise. A lot of us in fact is going to have to change our vision of what we see within South Africa. Of what we see the future of South Africa is, that if Mr Mandela is (20) a political prisoner, he sits there and nobody can deny that he has support of people. If he is not brought into a negotiating situation would there in fact be negotiations?

Do you then condone the murder of many people by placing a bomb outside the building killing a lot of innocent people? -- No, I regret the bloodshed in this country. In fact I do not like bloodshed. I am totally opposed to any form of violence.

Or going out in a pre-planned manner and shoot down people, doing their duty? -- I do not accept that the (30) taking/...

taking of life is something that is very light.

So, you referred to it as a question of human rights?

-- That is correct.

The people that are - the people against whom the bombs are used and so, have they not got any rights as well as humans? -- Yes, they have rights as well as humans. I said I deplore the fact that those kind of things happen.

So, a lot of the people that are political prisoners are people who used bombs, used fire-arms, used violence against people and killed innocent people? -- I do not (10) have knowledge of which particular case this gentleman is talking about.

COURT : Yes, Mr Jacobs, if you argue with a witness about a political prisoner, let us have the facts what were the facts upon which he was convicted. We have been in this case for two years and nobody has taken the trouble to place before me exactly the facts upon which Mr Mandela or Mr Sisulu or Kathrada et cetera were convicted, but you argue on and on and on about it.

MR JACOBS : I am not at the moment ... (Court intervenes) (20)

COURT : At the moment you are arguing about murderers. Were they convicted of murder? I do not know.

MR JACOBS : He is not the only one ... (Court intervenes)

COURT : Must I go and delph in the records of this court to find out what happened? Is it my duty?

MR JACOBS : No.

COURT : Well then, if you put murderers, state the name, state the particulars of the case and ask the particular witness of his particular opinion on the particular facts, but let us not dance about like a fairy. Now, you were (30) talking/...

talking of murder. Put to the witness the murderers you are referring to and ask his comment on that.

MR JACOBS : Mr Solomon Mahlangu, Mogoerane, Motaung, were all people who were convicted of murder in political trials.

COURT : But they do not exist any more?

MR JACOBS : No.

COURT : We are talking about the release of political prisoners.

MR JACOBS : As the court pleases. Mr Tsotsobe was one person convicted of murder but he is still alive and in (10) prison. Must he also be released? -- I do not know Mr Tsotsobe and the facts of that particular case.

He was convicted of murder of people in the Standard Bank in Silverton? -- I deplore any form of violence. I am by nature a pacifist who believe in human rights.

And must they be released? --If we are going to come about - to bring about a national convention, Mr Tsotsobe I do not know what the facts of the case were, what the motivation for that was. I said I deplore, if he had done any act of violence, I deplore that act. If we are talking (20) about the release of political prisoners, we are in fact talking about Mr Mandela, Mr Sisulu and people like that in any form that these things would take and I mean that was in the back of your mind.

Do you know that Mr Mandela was convicted on sabotage and violence, using violence in this country? -- Was Mr Mandela convicted of murder, of the killing of people? I do not know that.

I just put it to you that he was convicted on sabotage? -- I do not condone acts of sabotage, but I can understand (30) why/...

why a person will become as frustrated to enter into that arena.

Is it correct then that the issue of education was taken up by the labour party? -- That is correct.

Do you know that it also originated from the ANC as a goal of the ANC to use this issue of education, to mobilise and politicise the people? -- No.

MR TIP : My lord, my learned friend has on several occasions said that issues originate with the ANC, going back to the question of political prisoners. We are now at education. (10) Is there a basis that should be put before your lordship for a proposition of that nature? I suggests that the issue of the education never antedated the ANC and I do not know if my learned friend is historically correct.

HOF : Ek het h probleem, mnr. Jacobs. Ons praat van h "goal of the ANC and PAC." Dit is met ander woorde die uiteindelijke doel. Dit kan tog nie wees soos u dit stel die "issue of education" nie. Dit is een van die sake waaroor hulle argumenteer, maar dit is tog nie die uiteindelijke doel nie en u debatteer in paragraaf 6 die doel van die ANC en (20) die PAC. Die doel mag wees h nasionale konvensie, maar ek weet nie waar u onderwys daarby betrek nie.

MR JACOBS : Nee, ek sê die mobilisasie van die mense.

HOF : Maar waar is dit so - elke party praat oor onderwys. Die KP en die NP is op die oomblik in mekaar se hare oor die onderwys. Onderwys op sigself is h punt wat alle mense raak en waaroor alle mense debatteer. As die arbeidersparty oor onderwys gepraat het, dan is hulle niks anders as die nasionale party en die KP nie. Waar gaan dit heen? h Politieke party uit die aard van die saak moet oor dinge (30) praat/...

praat anders het hy geen bestaansreg nie. Dinge waaroor h mens praat is tog onderwys onder andere.

MNR. JACOBS : Die punt wat die verdediging probeer maak het hierso met sy getuienis is dat hierdie dinge is algemeen en dit het nooit van enige van hierdie organisasies soos die ANC en enige van daardie mense gekom nie, maar dit is dinge wat sommer in die daaglikse lewe opgekom het.

HOF : Ja, maar nou is ons by onderwys. Ons kan tog nie sê dat die KP omdat hy by die ANC gaan lig opsteek het, nou praat oor die onderwys nie. h Mens moet tog realisties (10) wees in hierdie goed.

MR JACOBS : Ek het probeer om te stel dat die doelstellings van die ANC of die "goals" soos dit genoem word, is een van die doelstellings om onderwys - die ANC het onderwys opgeneem om kampanjes om te voer om mense daardeur te mobiliseer.

HOF : Dit is nie h "goal" nie. Dit is h metode. Dit is nie die einddoel nie. Dit is h metode om die einddoel te bereik. Ons praat nou oor die einddoel want dit is wat hier staan. Die doeleindes. Ons moet onderskei tussen metode en doel. (20)

MR JACOBS : Do you know whether the question of master and servants originated from the ANC or not? -- No.

And housing and group areas? -- No.

That it originated from the ANC. Do you know about the ANC working towards the isolation of South Africa? -- No.

Do you know whether the ANC did take up the question of taxes and cost of living? -- They could have. I do not know.

I put it to you that all these points raised by me on these issues, that you said were also taken up by the (30) labour/...

labour party, also originated and was started, the campaigns on this by the ANC? -- I think that what we are talking about education and other things concern all of us. The overcrowding of the schools, nobody can tell me that my school was not overcrowded. Nobody can in fact tell me today my son is going to school today, there is no shortage of teachers. In fact the principal and the school committee called a meeting last week of parents to talk about the shortage of textbooks. This originated last week, no about a month ago. There is a concern and a continuous concern (10) about the education. These things concern everybody within the country. There cannot only be one organisation that talks about this. If there was an organisation that spoke about this, this must have been a very concerned organisation. If we talk about even rightwing parties would within the so-called coloured people, they took up issues such as housing, such as education, such as enumerated by the gentleman there. That these things concern us on a daily basis. The fact that we live in overcrowded gettoes concern us on a daily basis. I do not need anybody to (20) tell me that thirteen people live in one stand with one tap and one toilet is an object of the ANC. I can take the gentleman there now if he wants to go and have a look at that and see if he will not take up that issue.

COURT : Refer to that gentleman as counsel. -- Counsel.

This does not mean to say that he is not a gentleman.

MR JACOBS : You also referred in your evidence to words and phrases used in political jargon. I would like to refer you to a few of them and I put it to you that these political words or political expressions emanated from the ANC (30)

as/...

as a special part of the freedom struggle. The one is "destroy apartheid." That emanates from the ANC as part of the freedom struggle? "Liberation struggle" emanates from the ANC as part of the freedom struggle in South Africa. "The struggle for total liberation" is a concept point by the ANC and used by them. "Liberation movement" is a special name claimed by the ANC and the congress alliance. "Unity" and "unity in action" is a phrase which came from the ANC. "Comrades in struggle for liberation" is also a phrase emanating from the ANC. "Oppressed or oppressed people" (10) in South Africa also emanated from the ANC and all these words used are words closely related to the freedom struggle in South Africa and where they were used in your party as well in this context. They were used in this context. -- I think that when you talk about political slogans and political rhetoric we are talking about something which people use very often and sometimes without even understanding what they say. If we are talking about the word "oppressed people" I have in fact heard the person who is now the leader of the united democratic party which is the party (20) in opposition in the house of representatives, was a member of the Erika Theron commission, using those very same words.

COURT : Who was that now? -- Mr Jacobs Rabie.- I have heard the words "total liberation", last year I went to Mecca on pilgrimage and I met some Afghani pilgrims who spoke about total liberation Afghanistan. Words and phrases used in South Africa I think are common to the English language. That slogans were shouted which were common in the townships and were used in the townships for a very long time and the townships - the word like "Amandla" was (30) used/...

used quite often. It was used by the Reverend Allen Hendrickse. It was used by Chief Gatsha Buthelezi on a regular basis.

COURT ADJOURNS. COURT RESUMES.

MOHAMMED DANGOR, still under oath

FURTHER CROSS-EXAMINATION BY MR JACOBS : Mr Dangor, I would like to refer next to the different phrases of boycott and that. I would like to put to you that it was the program of action adopted by the ANC in a conference of 17/12/1949 and according to this program of action of the ANC para-(10) graph 3(a) of the adopted program of action the following appears "The abolition of all differential political institutions, the boycotting of which we accept and to undertake a campaign to educate our people on this issue and in addition to employ the following weapons. Immediate and active boycott. Strike. Civil disobedience. Non-co-operation and such other means as may bring about the accomplishment and realisation of our aspirations." That was part of the program of action. I put it to you when it was used, when you say here that it is just generally used, (20) it was done by the labour party at that stage as part of the plans and the goals of the ANC? -- That is not correct.

There is another point that you said about the campaigns of the UDF. Did you read any of the documents issued by UDF except for the resolutions? -- I have said the resolutions and I have read things generally in the press.

Have you read any publications in community papers issued by affiliates of UDF? -- I may have.

Because you said you know nothing about a campaign by the UDF on housing and group areas act. Is that correct?(30)

I/...

-- I did not say that - I said I saw no evidence of them organising in those areas around that particular areas where I am.

So, in actual fact you cannot say whether they conducted campaigns in that field and issued publications and propaganda to the people in the fields of housing and group areas? -- I did see resolutions. I did see press publications about group areas condemning group areas, calling for the repeat of the group areas act. Yes, I did see that.

UDF publications? -- Yes. (10)

Which did you see? -- I cannot recall.

I put it to you that there were campaigns in these fields and propaganda in these fields? -- Most political organisations put out a statement on where they stand on a political issue and in the same way, the UDF put out statements on that position about group areas, about housing, about schooling.

And also propaganda? -- I would not say that it is propaganda. If we are talking about group areas, per se it is not propaganda. We live with that situation every (20) day. We live with the situation where in my community there has been a constant housing shortage of six thousand. On very many occasions we have tried to negotiate with the authorities bringing about relief in that area. I mean, that is not a campaign, that is reality.

But you are not referring to the publications of the UDF but to something quite different. Is that correct? -- I do not understand what counsel is saying?

You are referring to what you live in every day, but you are not referring to what you read in the papers and (30)
the/...

the documents of the UDF and its affiliates? -- If it concerns group areas, the UDF has made statements, I have read them in the press. They have called for the repeal of the group areas act.

There is one other point that I want to touch on. You referred to the singing of freedom songs? -- Yes.

And you referred to a meeting or conference at Ulundi? -- Jabulani.

COURT : Jabulani, that is in Soweto? -- That is correct.

MR JACOBS : Can you still remember what songs were sung (10) there? -- No, I cannot remember what specific songs were sung there but at most Saba meetings ... (Court intervenes)

COURT : At the moment you are being asked about that particular one. Can you remember the language in which they were sung? -- They were sung in the vernacular language.

What do you mean in the vernacular language? -- I think it was in Zulu.

Do you follow it? -- I do not understand Zulu.

MR JACOBS : And slogans on Tambo and Mandela, were they shouted? -- There were slogans about Mandela shouted, but (20) not about Tambo.

Any songs where the names of Tambo and Mandela were mentioned that you can remember? -- There may have been.

Do you know who Mr Tambo is? -- Yes.

He is the leader of the ANC. Is that correct? -- That is correct.

And Mr Mandela also is the leader of the ANC? -- That is correct.

RE-EXAMINATION BY MR TIP : Mr Dangor, you were asked about resolution 6 on page 17 of 1979 conference minutes. (30)

COURT/...

COURT : It is called DA124.

MR TIP : I want to ask you two things arising from that. The first is, did the - was the question of the identification of the goals of the ANC and the PAC from time to time made a matter of public record through the press by leaders of the labour party? -- That is correct.

Did you yourself see articles along those lines? -- Yes, I did.

Would you look at this article, it is a copy of an article from the Cape Times on 11 April 1980 headed "Hen-(10) drickse wants law scrapped" and I would like to refer you particularly to the middle portion of that report, the portion beginning "The labour party identified." Do you see it? -- That is correct.

Did you see such reports? -- Yes, I did.

COURT : Did you see this report? -- Yes.

MR TIP : May I hand that ... (Court intervenes)

COURT : Are you going to identify this report?

MR TIP : Did you see this report or a report in another newspaper on such terms? -- I saw reports in other news- (20) papers on such terms.

My lord, may I hand this up or alternatively, it is a matter of three paragraphs. May I read them onto the record?

COURT : Do you not have a problem here? If this document is not identified by this witness, you cannot ask this witness to refer to it and you cannot hand it up, but the witness has already stated it was a matter which was being discussed in the press. Why burden the record?

MR TIP : Perhaps I should then just to round the point off. Did the manner in which it appeared in the press correspond(30) with/...

with what you have said in relation to the goals that were identified during common citizenship? -- That is correct.

Then a second aspect of this, to put into fuller context the resolution that you were referred to by learned counsel for the state, resolution number 6 and the cross-examination concerning the national convention which arose out of it, would you turn the page please of the same minutes to page 18. My lord, it is not part of the extract, but there is just one resolution that I could place on record.

COURT : Yes. (10)

MNR. JACOBS : Ek moet beswaar maak dat ek op hierdie metode gekruisvra het. Die kruisondervraging was gedoen op wat voor die hof was en nou word ander dokumente agterna ingesit om kruisondervraging wat voor die hof was reg te stel - is dit om dit so te stel. Dit is nie dinge wat die staat gehad het op daardie stadium toe kruisondervraging gedoen moes word om te kan sien wat is daarso nie. Nou word heeltemal nuwe dinge voor die hof gelê wat nie deel van die hoofgetuie- nis was nie en nie deel van die kruisondervraging nie.

COURT : Is this a new matter, Mr Tip? (20)

MR TIP : It arises out of nature of cross-examination.

COURT : What was the nature? The nature was exactly on paragraph 6.

MR TIP : Yes, but out of that my learned friend taxed the witness at some length about the attitude of the labour party to the national convention and what sort of convention was envisaged. There is a resolution in the same minutes which clarifies the position.

MNR. JACOBS : My respekvolle betoog is, dan kon die getuie as daar so iets is waarvan hy kennis gedra het, sonder dat(30)

hy/...

hy nou verwys word na sekere paragrawe daarop geantwoord het. Dit is nie vir die verdediging nou om dit voor die hof te kom lê nie.

COURT : When do you ask leave of the court to adduce further evidence which you forgot to lead initially?

MR TIP : It was not so much a matter of forgetting as my earnest endeavour not to place too much documentation before your lordship.

COURT : Yes, well, if it clarifies this aspect of the national convention, it is better that we have the exact (10) wording of it rather than thrash about it in the air. So, I will give Mr Jacobs the opportunity to re-cross-examine. What is the paragraph?

MR TIP : It is paragraph 12 on page 18 of those minutes and it reads as follows: "Whereas the present political system with its separate institutions like the white parliament, coloured persons representative council, indian council and homeland governments does not meet the demands of the principles for effective government of South Africa, the labour party of South Africa again resolves that the (20) present South African government call a national convention representative of all South Africans to determine the principles essential for a new form of government acceptable to all South Africans."

RE-CROSS-EXAMINATION BY MR JACOBS : On this part that was read by Mr Tip now, that is not part of a resolution? -- It is a resolution.

COURT : Does it not say "resolves"?

MR JACOBS : "Again resolves" I see in the middle.

NO FURTHER QUESTIONS.

(30)

HEZEKIEL/...

MR TIP : The next witness is Hezekiel Mhlambi. He testify concerning events in Duduza and will give his evidence in Zulu.

SIPIWE HEZEKIEL MHLAMBI, d.s.s. (Through interpreter)

EXAMINATION BY MR TIP : Mr Hhlambi, you are a man of 36 years, married, with children and employed as a foreman at Marley Tiles in Nigel. Is that correct? -- That is so.

Are you a resident of Duduza township? -- That is so.

For how long have you lived there? -- From 1963 I started staying there. (10)

I want to ask you briefly about the conditions in Duduza. Do you have any complaints about the living conditions in Duduza? -- Yes, I do have complaints.

What were the principal ones, what were the main complaints? -- Our major complaints since then up to now were the bucket system which was being used and the conditions of the road which were dirt roads, electricity.

COURT : Absence or presence? -- There is no electricity. And water which is to be drawn from the street.

What is your nearest big town? -- Nigel. (20)

MR TIP : One or two particulars about the bucket system. Was the bucket system adequate for the needs for the family that lived in your house?

COURT : Do you mean that there were not enough buckets?

MR TIP : The capacity was not sufficient.

COURT : Then you will have to have two toilets, because the buckets are all of one size.

MR TIP : That is so. Perhaps the witness could indicate very briefly the sort of difficulty that arose? -- These were being emptied twice a week, which is only on two (30)

occasions/...

occasions during a period of seven days. During that period then a person with a big family like myself for instance, would have his bucket full before they come and remove it, which then resulted in me digging a hole in order to empty the bucket into that hole.

COURT : That is of course against the regulations again. We do not want all this sort of detail. I think we have got the picture now.

MR TIP : In your unstanding, who was responsible for the administration of Duduza township during the period that (10) you lived there? -- At that time Duduza was being administered by the Nigel Municipality.

COURT : Up to what stage? -- It went on like that until we experienced the changes of the authorities like for instance when the Bantu Urban Board was there and the East Rand Board, et cetera.

MR TIP : Was anything said during the time that you had lived there about improvements to the complaints that you have put before his lordship? -- Yes, there were many promises.

Can you tell his lordship from your own knowledge who (20) might make such promises? -- The people who came to us to make the promises were those whom were known as representatives in the sense that they were councillors.

And what promises did you yourself hear? -- The promises I knew about was that there were going to be some improvements made to the township. For instance the introducing of the sewerage system, the conditions of the roads were going to be made better than what they were and water was going to be in the yard.

At what times would these promises be heard by you? -- (30)

What/...

What happened is that each time that there were some elections to be held pertaining to the councillors, those canvassing for elections as councillors would make promises of this nature. For instance as I said earlier that they would attend to the condition of the township. In addition to that, they would even say that people who did not have husbands, the widows, would not be evicted from the houses when they are elected into council.

Was the eviction of widows one of the problems in the township? -- Yes, that is so. (10)

In the course of the statements by electing candidates, did you ever hear anything said about the rents? -- Yes, rent was one of the things that they mentioned in their promises that this will never be increased.

I want to ask you this. What was your attitude to the installation of sewerage and the provision of water and better streets and so on? -- My attitude is, if I was to live in a township which was with all that, that is having all those things as mentioned, I would be the happiest man.

COURT : Would you be happy enough to pay for it? -- Yes, (20) as far as the consumption is concerned I would be happy to pay for what I have consumed.

Only for the consumption? -- Yes.

Not for the installation? -- No, I was not prepared to pay for the installation.

It seems then it would be a long time before you are happy? -- No, it would not take long for some reasons.

MR TIP : Could you tell his lordship please what were the reasons for your reluctance to pay for the installation of these amenities? -- One of the reasons is the following that (30)

in/...

in the first place the houses which we occupy in the townships are not our properties. We are there as tenants. As a tenant of the house at the end of each month, whether it is the 30th or 31st, before the 7th of the new month, I am expected to have paid my rent for the occupation of that house. The other reason was the problem that I anticipate, say I was prepared to pay for all these things, the installation of electricity et cetera and then later I am told to vacate that house, what is going to happen to the money that I paid for all these that I have mentioned. (10)

COURT : Was there not a scheme by which you could buy your house? -- Many of those schemes only became known to us now recently.

Have you never heard of a scheme to buy a house until recently? -- Yes, but we heard about that kind of a scheme. That would depend on how much one can afford or whether you have the finance.

MR TIP : Did you consider your residence in Duduza to be permanent? -- No, I would not say that. It is a very difficult question. What happened is, you would like to stay at (20) some place for a while and then later you are told now you people have to move to another place, like it happened in Charterstone.

COURT : Yes, but let us be practical. How long have you been living in your house? -- It is more than twenty years. I have moved into that house during 1963 until now at present.

And you feel you would be kicked out tomorrow? -- Because of my experience that there are certain places where people are still being moved, therefore it can be applicable to me as well. If it was to be said that I must move then I shall (30)

have/...

have to move.

MR TIP : I want to come now with you to 1983. Did the subject of sewerage installation come up then? -- That is so.

Would you tell his lordship please how you heard about this? -- What happened is that we came to know about that we were going to pay more rent, which was going to be increased, which was being increased with R9,00 for thirty years. R9,00 per month would be added to the rent that we were paying then and this was to go on for the period of thirty years. Each month you would have to pay that. (10)

And then, what happens after thirty years? -- What was said was that after that period of thirty years, then the rent was going to be brought down again to its level, meaning that the money we were paying was meant for the buying of the pipes.

And what rent were you paying in fact at the time? -- About R23,00.

COURT : What were your earnings? -- R400,00 per month.

MR TIP : Did you attend a meeting, a public meeting in connection with this R9,00 increase? -- Yes, I did attend (20) a meeting which was called by the councillors.

COURT : Could you give us an idea when was this? -- Some time in the middle of the year 1983.

MR TIP : Did you attend the meeting? -- Yes, I did attend the meeting.

Do you recall where it was held? -- This was held in the Duduza community hall.

Had you attended public meetings in Duduza before this occasion? -- No.

Had you at that stage heard of a body called the (30)
Duduza/...

Duduza Civic Association? -- I used to hear about that, not knowing where to locate this body and I did not even know what they do, what things are expected from them and how it works.

At the meeting at the community hall called by the councillors, who was on the platform on that occasion. Do you recall?

COURT : Do we need this detail for the purposes of our case or do we want the result?

MR TIP : I will abbreviate and if need be the witness can(10) be taken up on it. It is common cause that there was discussion about the proposed installation of sewerage and the fact that there was to be an increase of R9,00 per month? -- That is so.

What attitude to the proposed increase was expressed by the people attending there in the audience? -- The people present there in the audience refused and said they were not prepared to pay this one as an increase, because it is quite long that it is being said and each time the rent was being increased there were some promises. So, the rent gradually(20) increased on those grounds.

Was there any indication given to the councillors present as to what they should do? -- The people present there, that is the audience said they would not be able to pay this money as an increase on rent, because it has been happening for some time that money was being asked for the same purpose. The next question was if we were prepared to pay this increase, is this going to be done, meaning the sewerage system, is it going to be installed there? Which indicated that nobody of those present there had any hope of the (30) sewerage/...

sewerage being installed there after having paid the money.

COURT : You must listen closely to what council asks you. Council wants to know whether the meeting gave the councillors any instructions? -- Yes. The people there at the meeting, the audience, said to the councillors that they, the councillors, would be doing a better thing if they were going to call the whites in the offices, the whites who are in charge of the councillors to come and explain this question of the rent, because it is not clear as to what was happening with this rent. (10)

MR TIP : Did this meeting called by the councillors at the community hall end in disorder? -- No, there was no disorder.

As far as you were concerned, could you tell his lordship whether your attitude to this increase was in any sense the result of the Duduza civic association's doing? -- Yes.

COURT : By yes you mean no? -- Just repeat that question?

You were asked to tell the court whether your attitude as far as the increase of rent is concerned had any connection with Duduza civic association? -- During the time of this meeting that I am talking about, we have not yet known (20) about the existence of Duduza civic association.

MR TIP : Did you attend another meeting at which the same subject was discussed at the NG Kerk hall in Duduza? -- Yes, that is so.

COURT : Could you give us an idea where this was? -- This meeting at the NG Kerk was in 1984. That is early in 1984.

MR TIP : I am not going to ask you details about this meeting, but what was the attitude to the increase expressed by the people present there? -- The people present there did not agree with the increase. (30)

Did/...

Did you attend a second meeting at the community hall?

-- Yes, I did. This was also called by the councillors again.

COURT : And the one at the NG Kerk hall, was that called by councillors? -- I do not know by whom that meeting was called, but what I can say is that the ministers of religion were present there.

Now we are back at the second meeting at the community hall.

MR TIP : When you went to the community hall on that (10) occasion, the second occasion, were there councillors present? -- What happened there was that they only called the meeting for that day at that place, but they themselves were not present at that meeting.

COURT : When was this? -- This was the next meeting of the councillors from 1983.

Yes, but was this now in 1984? -- This is still in 1983 because what happened is, the audience there referred them back with a message to be delivered to the whites and then after having done so, they called this meeting that I call (20) the second meeting at the communal hall.

How long was this second meeting at the community hall after the first meeting there? -- It could be about two weeks.

MR TIP : Again I do not want to traverse the details of this meeting, but could you tell his lordship please how it ended? What resulted from this meeting that you attended? -- What happened is, because of the councillors failure to turn up at this meeting, while we were there as audience, a person from right up front in this hall got up and went onto the platform and that person announced to us, the audience in (30) that/...

that hall that the councillors are not present. That person then I later came to know that he is a member of the Duduza civic association.

Did the audience give any instructions to this person from the civic association? -- Yes, what happened then is that the audience said we are here on invitation by the councillors who failed to turn up at this meeting, as a result we are now giving the civic association, that is the Duduza civic association the mandate to take our complaint up with the authorities. (10)

Did you personally hear the results of that mandate having been carried out? -- A report back meeting was called by the civic association which meeting I personally did not attend, but ... (Mr Tip intervenes)

I do not want you to report any hearsay to his lordship now, but I want to ask you just to conclude the second meeting that you did attend at the community hall when the mandate was given. Did that meeting end in disorder? -- Yes, the meeting ended up in order.

COURT : In order or in disorder? -- In order. (20)

MR TIP : I want to turn to a different aspect. In 1984 did you come to hear that there were some boycotts at schools in Duduza? -- That is so.

Can you tell his lordship at which schools those boycotts were? -- At the two high schools in Duduza.

COURT : Could we have their names? -- M.O. Siboni is one of them. I have just forgotten the name of the other high school. It just slipped my mind.

MR TIP : Did you yourself in 1984 have children at school? -- Yes, I had children. (30)

Were/...

Were they in the primary school? -- That is so.

What was your attitude to the boycotts at the high schools?

COURT : Is that relevant? Does it lead any where? He has not got children there.

MR TIP : Perhaps I should put it more directly. It does lead somewhere. Did you think that the boycotts at the high schools might affect your children at the primary school? -- Yes, that is so.

Perhaps you could tell his lordship briefly how you (10) thought that might happen? -- In this way. What I had in mind was that if there are school boycotts in the senior classes of the school, that is the senior school itself in education, how are these children who are still in lower classes going to reach the high schools and in reaching the high schools are they going to learn if these have decided to boycott.

COURT : You mean will they be hindered on the way, going to school? -- No, I am talking in terms of delay on education. That they were going to delay my children because (20) of those who are boycotting in the high schools.

MR TIP : Did you go to speak to anybody about the situation? -- Yes, I went to the principal of the school at which my children were registered to find out from him about what was happening why is there no schooling, referring to the situation at the time.

Just for clarity sake, do you recall the name of the principal? -- Yes, the principal's name is Mrs Mogale.

Again I am not going to ask you to detail at all the discussion that you had with Mrs Mogale, but with what (30) impression/...

impression did you end up about her power to do anything about the boycott situation?

COURT : But now, wait a moment. Were the children attending school at the primary school where your children were? -- What was happening was that they would go to school and come back early from school.

Why? -- The report was that they would go to school and then with those that were boycotting schools at times would come running in the direction of their school, which would mean then they would also come out of class and go (10) back home.

Why? -- The principal's excuse to me was that she was letting them go home because of avoiding the children being injured by the parents.

MR TIP : With what sense did you conclude about Mrs Mogale's power to do anything about it? -- She had no power.

Did you attend any public meetings dealing with this subject? -- Late in 1984 I did attend a parents school committee meeting.

COURT : A public meeting? -- Yes. (20)

MR TIP : Who were the persons in charge of the meeting? Could you give us their names? -- Of the people I saw and whose names I heard was Mrs Moatludi who appeared to me to be one of the people in charge of that meeting, Mr Thobela and some other people who were also on the platform.

Where was the meeting held? -- In Duduza community hall.

Could you tell his lordship please what the gist was of what the speakers had to say on that occasion? -- A speaker there said the following, that the children are no longer going to school and therefore the parents and teachers (30)

must/...

must help one another in order to get the children back to school. These two, namely the parents and teachers must stand together or be together in solving problems that were faced by the children.

Were there any of the school children present there?
-- Yes, there were school children present at this meeting, accompanying their mothers.

Did any of them speak at the meeting? -- Yes, it was requested that the children should explain to their parents which resulted in them, the children, then explaining. (10)
It was in that fashion that they had something to say.

Would you tell his lordship please what the essence was of what they had to say, the scholars? -- They were complaining about the treatment at school (corporal punishment). They were also demanding a body which was to represent them as students SRC. They were also complaining about teachers who were not properly qualified to teach a certain standard. Then there were complaints about books as well, namely the textbooks. The scarcity thereof that they were not available.

Did these student speakers express any attitude on (20) the question of whether or not to go back to school? -- No. to me they were expressing an opinion of being prepared to go to school if their complaints are being attended to and corrected.

At the conclusion of this meeting, was any instruction given to the committee? -- Yes, the committee was instructed to work hand in hand with the teachers in looking into the problems of the children and the committee ended up by saying that is the parents committee that they were going to write a letter to the person in charge of the schools. (30)

Did/...

Did the schools end in disorder? -- No, this meeting when it ended it ended up in a good order.

I want to go on with you now to the funeral of 4 November 1984. Were you present at any part of the proceedings on that day? -- Yes, I was present.

At what stage did you become present? -- I was on my way to attend the service of this funeral, but before I could reach the place where the service was held, I met the people, the funeral itself, on its way to the grave-yard.

Did you join the procession? -- That is so. (10)

From where you were in the procession, were you able to see the coffin? -- Yes, I did see the coffin. I could see.

What do you say to the evidence that there was a flag in green, black and yellow colours draped over the coffin? -- No, I did not see such a flag as described.

On 26 February 1985 were you present at the funeral of Lucky Mkhwanazi? -- Yes, that is so.

In relation to your house, where is the house of the family of Lucky Mkhwanazi? -- We are in the same street. Their house is diagonally opposite mine at an angle, the (20) third house from the one right in front of mine to your right.

At what stage did you join the proceedings at that day? -- I arrived at the deceased's home while the people were still there.

And from the home did you proceed to the graveside? -- Yes, that is so.

And after the service at the graveside, did you return to the family home? -- That is so.

As far as you know were there any incidents during (30) the/...

the funeral proceedings at that stage? -- No, it was very quiet on that day.

Can you tell his lordship how many people were at the family home after the funeral service? -- Between two and three hundred people.

What was the purpose of being at the family home at that stage? -- The reason why we were there at the deceased's home is because our custom is after having left the graveside, we are to go to the deceased's place to go and wash hands. (10)

Would you begin describing to his lordship what took place while you were there at the family home? -- Just when we were nearby the deceased's home, the police vehicles and the soldiers in their vehicles approached. The police were using the vehicle known as a hippo. As they also arrived there in approaching they started shooting teargas. They then drove over the baths which were put outside containing water.

What was the reaction of the mourners there? -- They dispersed and scattered all over the area there in different directions. What happened is, after having shot the teargas they drove around the block and when they came to the deceased's place for the second time after having taken the round. They fired shots of teargas on the food itself. (20)

From what you could see, was there any reason for this action to have been taken? -- There was no reason because the people were coming up very quietly coming to this house.

COURT ADJOURNS.

COURT RESUMES.

K1278

SIPIWO HEZEKIEL MHLAMBI, still under oath.

FURTHER EXAMINATION BY MR TIP : Mr Mhlambi, we were dealing (30)
with/...

with the events at the home of Mkhwanazi after the funeral on 26 February 1985. -- That is so.

You have described to his lordship the firing of teargas in that vicinity. Did any members of your household come to be affected by the teargas? -- Yes, one of these that were shot containing the teargas landed in my yard and this resulted in affecting the baby I had. The baby was six months old.

Did you do anything as a result of that? -- Yes, I discovered that this child was now having breathing problems(10) and sweating. As a result I took the baby in a car to a medical doctor.

And after you returned from the doctor, during the hours thereafter, can you tell his lordship at all whether things were quiet in the township of Duduza? -- Yes, when I came back from the doctor, the township itself was quiet, that is as far as the residents are concerned, but only the law enforcement people were moving around.

I forgot to ask you. The funeral procession of Lucky Mkhwanazi, do you recall whether you saw any banners being(20) held by persons in the procession? -- At Lucky's funeral I did not see a banner.

I want to turn with you now to the funeral of Sonto Thobela on 18 May 1985. -- Yes.

Were you present at the funeral service? -- Yes, I was present.

Do you recall when that was held? -- Yes, I do.

Were speeches made there? -- Yes, there were.

In those speeches were there any calls to violence? -- All that was said in the speeches there was to console (30)
the/...

the parents about what happened within their family.

Did you take part in the procession from the community hall to the graveside?

ASSESSOR (MR KRUGEL) : Do we know that it was held in the grave-yard?

MR TIP : Yes, I think I asked the witness.

ASSESSOR (MR KRUGEL) : But you did not wait for the answer.

MR TIP : Oh, I am sorry. Could you tell his lordship where it was held? -- Yes, at the community hall at Duduza.

Did you take part in the procession from there to the (10) graveside? -- Yes, that is so.

Do you recall approximately where in the procession you were? At the front, in the middle or at the back? -- I was almost at the middle of the procession, but on the side.

Which side? -- On the side more to the left.

Did you see any incidents on the way to the graveside? -- No, there were no incidents on our way to the grave-yard.

From where you were in the procession, were you able to see the coffin? -- Yes, I could see it, because they were carrying it on their shoulders. (20)

Did the coffin have any cloth draped over it? -- No.

At this funeral, did you see any banners being carried by persons in the processeion? -- No, I did not see any banners there.

Until when did you remain at the graveside during the proceedings there? -- I only left the graveside after the complete filling of the grave.

Where did you go from there? -- I went back to the deceased' home.

Whilst you were on your way there, did you observe any(30) incidents/...

incidents? -- When we left the grave-yard I left with the first group. I noticed that there was a police vehicle parked there from which teargas was thrown at the people who were coming from the grave-yard.

What happened thereafter? -- That resulted in us running away not following the direction we intended following. We took different directions. That means we were just jumping the fences or going through the wire fences of different yards.

Please carry on in your own words and tell his lordship? -- We continued in that way climbing the fences until we reached the place we were heading for.

And that was? -- The deceased's home. Because after that there was a continuous shooting of teargas, shooting at the people who were coming up in the direction of the home of the deceased.

Were you at the deceased's home for any time at all? -- Except to say that I came as far as the home of the deceased where I washed my hands and immediately left, hurrying to get home, because there was a continuous shooting of teargas. (20)

In Duduza after you had left the Thobela home, are you able to tell his lordship anything about what the situation was in the township thereafter?

COURT : On that day?

MR TIP : On that day, yes. That evening. -- People were scattered all over the place and the shooting of teargas took place continuously. I remained home. I did not leave my home that day any more.

One last question in relation to this funeral. As far/... (30)

far as you could see, was there any reason for the action taken by the security forces in firing the teargas? -- There was no reason which I could see for that.

I am going very briefly on to two last concluding topics. Did you at any time during 1983 or 1984 or to the middle of 1985 become aware of any campaign being conducted against the councillors in Duduza? -- No.

During the same period, did you become aware of the United Democratic Front having a presence in Duduza township? -- I did not have any idea about a member of the UDF. (10)

KRUISONDERVRAGING DEUR MNR. FICK : Net 'n paar algemene vraeers, mnr. Mhlambi. Toe u in 1963 in Duduza gekom het, van waar af het u gekom? -- Ek was van Tsakane af. Wat gebeur het is ons het getrek vanaf Charterstone na Tsakane toe waarvandaan ons nou weer teruggekeer het na Duduza.

Op daardie stadium was die munisipaliteit in beheer van Duduza? -- Ja.

En julle huur was R7,30 'n maand? -- In watter tydperk praat u van?

Van 1963 af ongeveer? -- Dit was R5,20. (20)

Is dit nie so nie dat daar was geen verbeterings aangebring in Duduza nie, eenvoudig omdat daar nie geld was nie en die inwoners wou nie meer betaal nie? -- U is reg in daardie jaar 1963, as ek praat van hierdie R5,00 wat ons as huur betaal het, selfs die inkomste van ons was baie laag gewees by die fabriek waar ons gewerk het. Ons het baie min verdien en daardie R5,00 was selfs te veel.

Weet u of die administrasieraad in die latere jare die raad moes subsidieer omdat daar te min geld ingekom het uit die huur wat julle betaal het? (30)

HOF/...

HOF : Is u stelling die administrasieraad het die stadsraad van Nigel gesubsidieer?

MNR. FICK : Nee, nadat die raadstelsel by julle ingestel is in Duduza, is die gemeenskapsraad gesubsidieer om die huur wat julle betaal het aan die gemeenskapsraad deur al die jare was nog altyd te min? --Nee, ek weet nie daarvan nie.

Hierdie beloftes wat aan julle gemaak is oor die verbetering verstaan ek u getuienis reg, u het van die raadslede die eerste keer gehoor dat hulle sê kyk, as julle vir ons stem en dit doen en dit doen, dan sal julle verbeterings kry?' (10)
-- Ja, dit is so.

Hoekom ek vir u vra is, hier het 'n vorige getuie getuig, mev. Thobela en sy het iets anders vir die hof te vertel gehad oor hierdie sogenaamde beloftes waarvan u praat. Sy het niks vir die hof te sê gehad oor die raadslede wat beloftes sou gemaak het nie, maar sy het beweer dat die munisipaliteit het die beloftes aan julle gemaak om julle so ver te kry om te gaan trek na Duduza toe? -- Ek sal dit so stel. Die persoon wat as die munisipaliteit daar werk, kom nie direk na ons toe nie. Hy stuur die mense waarvan ek nou net gepraat (20) het.

MR TIP : I just want to point out to my learned friend and to the court that Mr Thobela's evidence related to persons who came from Charterstone direct to Duduza and this witness has testified that he in fact came from Tsakane to Duduza.

COURT : From Charterstone to Tsakane and then from Tsakane to Duduza.

MR TIP : That is so, but one does not know what the period was that he is involved in.

COURT : In any event, in 1963 he was probably sixteen years (30) old/...

old.

MR TIP : That is something else.

MNR. FICK : Oor die kwessie van dat u gesê het dat u is bereid om vir die verbruik te betaal van die water en elektrisiteit, maar nie vir die instandhoudingskoste nie. Nou wil ek dit aan u stel dat hierdie idee kom nie van die inwoners self af nie ... (Hof kom tussenbei)

HOF : Nie instandhoudingskoste nie, installeringskoste.

MNR. FICK : Die installeringskoste. Die idee kom van hierdie "civic association" van julle af? -- Ek is nie 'n lid van (10) die "civic association" nie. Ek getuig hier voor die hof oor wat ek besluit het myself en nie wat die "civic association" vir my besluit nie.

Kan u onthou u het vir die hof gesê u het in die middel van 1983 'n vergadering bygewoon wat die raadslede gereël het en wat gehandel het oor die R9,00 verhoging? -- Ja.

Nou verstaan ek u reg, u het gesê die reaksie van die gemeenskap daar was ons betaal nie huur, die R9,00 verhoging nie, want in die verlede het julle al 'n klomp keer gesê ons moet huurverhoging betaal vir hierdie dienste, maar die (20) goed word nooit geïnstalleer nie? -- Dit is so.

En u het verder getuig dat op die vergadering is daar gesê dat julle moet die blankes loop haal dat hulle vir ons kan verduidelik hoe werk die huurverhogings. Dit was die opdrag wat julle aan die raadslede gegee het? -- Dit is so, ja.

Is dit die enigste opdrag wat julle gegee het aan die raadslede? -- Hulle was gestuur gewees as gevolg van die feit dat die huur bespreek moet word. Terselfdertyd sou dit dan 'n kans gemaak het vir die bespreking van sekere dinge wat reggestel moes word in die lokasie self. (30)

Kyk/...

Kyk, ek stel aan u, dat n vorige getuie, mev. Thobela, het oor hierdie selfde vergadering getuig en sy het heeltemal iets anders vir die hof te vertel gehad oor wat daar sou gebeur het. Eerstens het sy gesê nie hierdie wat u sê dat julle vir die mense gesê het die raadslede, in die verlede het julle al die huur verhoog vir hierdie selfde redes en dan is die verbeterings nie aangebring nie en daarom betaal ons dit nie, maar sy sê julle het gesê dit is die staat se verpligting om hierdie verbeterings aan te bring gratis, want julle betaal algemene belasting soos verkoopsbelasting en(10) persoonlike belasting? -- Ja, maar dit kom daarop neer. Kyk, hier word gesê ons gaan nie betaal vir die installering van hierdie goed nie. Ons gaan alleenlik betaal vir die gebruik daarvan.

Nee, kyk, die punt is dit, die vrou het gesê julle het gesê op die vergadering julle betaal dit nie, want die staat moet dit insit? U sê nee, julle betaal dit nie, want vantevoren het hulle julle huur verhoog oor dieselfde redes en hulle het nooit die werk gedoen nie? -- Ja, dit is eintlik die regte ding wat ek vir u gesê het. U onthou ek en u (20) het geld getel nou net hierso. Om hierdie huurgelde op te skuif elke keer tot op datum toe waar dit is, was die beloftes gemaak dat dit gedoen gaan word en om daardie rede regverdig dit dit dat die huur verhoog moet word, maar tot sover was dit nog nie gedoen nie, tot ons by die R9,00 se geval gekom het wat bespreek is daar by die vergadering.

Verder, u getuienis dat die opdrag sou gewees het aan die raadslede dat hulle die blankes moet gaan haal om vir julle te verduidelik hoe werk die huurverhoging, sê mev. Thobela is nie so nie. Sy sê julle het daar aan n sekere(30)

raadslid/...

raadslid opdrag gegee om vir die ander mense te loop sê hulle moet die geld wat hulle in die verlede vir die huur-geld gekry het gebruik om die verbeterings aan te bring? -- Ek sê by hierdie vergadering was daar raadslede gewees en die boodskap op die einde van die vergadering was dat hulle die raadslede wat daar teenwoordig is, moet teruggaan na die blankes toe en vir die blankes die boodskap gaan gee of alternatiewelik, die blankes moet hiernatoe kom dat hulle self kom praat. Daar was wel mense gewees wat notas geneem het terwyl mense gepraat het daar. (10)

U het getuig van 'n volgende vergadering wat die raadslede gehou het ook in 1983, maar waar hulle nooit opgedaag het nie? -- Dit is so, ja.

Wie is die persoon van die "civic association" wat daar opgestaan het en gesê het maar kyk, hy wil verder met julle praat in verband met hierdie uitnodiging wat die raadslede nie nagekom het nie? -- Bee-Bee Motoedi.

Het hierdie Bee-Bee hom voorgestel as wat van die "civic association"? -- Dit het ek nie gehoor dat hy voorgestel was as wat in die "civic association" nie. Wat ek (20) gehoor het is dat hy en die ander sal na die kantore toe moet gaan.

Laat ons net hierdie ding duidelik maak. Die ander waarvan u praat, is dit ... -- O, nog 'n ander persoon wat ek daar gesien het was Vusi Mashabane.

Laat ek dit net duidelik kry hierdie Bee-Bee Motoedi en Vusi Mashabane, is u getuienis dat hulle van die "civic association" is? -- Ja.

Was hulle die enigste twee van die "civic association" wat daar was of was daar 'n klomp ander mense ook? -- Wat ek (30) gesien/...

gesien het daar wat aan my bekend geword het as lede van die "civic association" is die twee persone wat ek nou net genoem het. Ek kan nie sê of daar nog ander was nie, want voor daardie tyd het ek nie eers geweet van die bestaan van hierdie organisasie nie.

Was daar 'n komitee aangestel van DUCA om hierdie klagtes van julle te gaan bespreek met die raadslede? -- Nee, ek weet nie van DUCA nie.

DUCA is die naam van die "civic association." Duduza Civic Association? -- Ja, maar soos ek sê, die persone (10) aan wie die boodskap gegee was, was Motoedi en die ander man. Wat toe verder gebeur het in daardie organisasie self meer as dit, weet ek nie.

Is ek reg in my afleiding as ek kyk na die aantal vergaderings wat u bygewoon het dat u 'n man is wat belang stel in die gemeenskapslewe daar in Duduza? -- Soos wat?

Die probleme van die gemeenskap, julle het griewe, julle het klagtes by die skole en in die dorp? -- Ek het nie 'n spesiale belang nie. Dit gebeur net dat hierdie ding in my teenwoordigheid plaasvind waar ek is. Dit is hoe ek (20) daar betrokke raad.

As daar 'n organisasie was voor 1983 in Duduza, 'n gemeenskapsorganisasie wat hierdie griewe van julle opgeneem het, sou jy belang gestel het in so 'n organisasie en sy vergadering gaan bywoon het? -- Mense wat te doene sou gehad het met die probleme van die lokasie?

Ja? -- Ja, want ek het mos ook na die raadslede toe gegaan.

U sien, hier is getuienis gegee in hierdie hof dat hierdie organisasie bestaan al van - het al geopereer in Duduza (30)

oor hierdie griewe van die gemeenskap wat u ook nou opnoem van 1982 af? Dit is nou die Duduza Civic Association? Hulle het in 1982 ten minste twee massavergaderings gehou, openbare vergaderings gehou oor die griewe? -- Ek het nie die twee vergaderings waarna verwys word in 1982 bygewoon nie en wanneer hierdie "civic" gestig was, weet ek nie. Ek het eers vergaderings bygewoon by die vergadering wat deur die raadslede geroep was waar die R9,00 verhoging bespreek was.

Kan ek net vasstel, die begrafnis sê u van die (10)
oorledene Patricia Thobela het u bygewoon. Hoekom? Is die mense bekend aan u of wat?

HOF : Het ons gehoor van Patricia Thobela?

MNR. FICK : Sonto, dit is die ander naam wat gegee is. --
Ja, ek ken haar van kleinsaf.

En haar ouers ook? -- Hulle is my bure.

Het u gereeld by hulle gekom van 1982 af deur al die jare? -- Nee, ek gaan nie na hulle huis toe nie.

Het jy gereeld met hulle gepraat, hulle gegroet in die strate soos bure? -- Ja, die normale groet. Die groet van (20)
n mens wat jy ken wat net naby jou bly sonder enige besprekings wat daar uitgevoer was.

Het mnr. of mev. Thobela ooit aan u gemeld in 1982 maar hulle is sulke goeie ondersteuners van die Duduza Civic Association wat hierdie klagtes en griewe van die gemeenskap opneem? -- Nee, hulle het nie.

Hierdie vergadering waar u vir die eerste keer van die Duduza Civic Association gehoor het, was dit net voor die verkiesing van die raadslede in 1983? -- Ja.

Ek wil met die vergadering klaar maak en net een (30)

stelling/...

stelling aan u maak. Volgens mev. Thobela is hierdie mandaat aan die "civic association" gegee om hierdie klagtes op te neem van die gemeenskap reeds in 1982? -- Ek was nie betrokke gewees met die "civic" nie. Soos ek reeds gesê het, ek het eers daarvan gehoor by hierdie geleentheid van die vergadering. Hoe dit gestig was in die begin weet ek nie.

Vandat u gehoor het van die Duduza Civic Association net voor die raadslede se verkiesing in Duduza, het u enige ander vergaderings van hierdie "civic association" bygewoon in verband met die verkiesing van raadslede? -- Nee. (10)

Ek wil met u gaan na die kwessie van die skoolboikotte. U het vir die hof in u hoofgetuienis gesê dat u het belang gestel in wat hier aangaan met die skoolboikotte en u het met mev. Mogale gaan praat? -- Dit is so.

Is dit as gevolg van die rapporte wat by u uitgekom het van die skoolkinders wat kla hulle word geïntimideer deur die hoërskoolkinders wat wel boikot en dan gaan hulle nie skool toe nie en kom vroeg terug van die skool af? -- Nee, dit was nie as gevolg daarvan dat ek hierdie skoolhoof genader het nie. Ek het die skoolhoof genader as gevolg (20) van die feit dat my kinders by haar skool geregistreer was.

En dit is toe vir u gesê dat die rede hoekom sy die kinders laat huis toe gaan is om te keer dat hulle betrokke raak in die probleme van die hoërskoolkinders wat daar kom probeer moeilikheid maak by haar skool? -- Dit is nie hoe sy dit aan my gestel het nie. Wat sy aan my gesê het was sy laat die kinders vroeg huis toe gaan omdat dit gebeur dat die kinders wat weghardloop, hardloop verby haar skool.

Nou moet u net verder verduidelik. Wat het dit te maak met die kinders wat in die skool is? -- Wat gebeur het (30)

is/...

is dat terwyl die klein kinders nog in die klasse is besig om te leer, kom die ander kinders hier aangehardloop deur die persele of in die nabyheid van daardie skool. Die kinders se aandag word nou getrek deur die kinders wat daar verby hardloop. Dan gee hulle nie meer aandag aan die les wat gegee word nie en dan is die volgende ding dat h mens hulle nie meer kan beheer nie.

Maar dit strook nie met u hoofgetuienis nie. In u hoofgetuienis het u gesê die prinsipaal het gesê sy laat hulle gaan "to avoid the children being injured"? -- Ja, dit is (10) presies wat ek bedoel as ek sê dat sy gesê het sy laat hulle loop omdat sy nie meer beheer kan uitoefen oor hulle nie. Sodra die kinders buite beheer raak, dan sal daardie kinders beseer word.

U het getuig dat u h openbare vergadering bygewoon het laat in 1984 en u het dit beskryf as h "parents school committee" vergadering? -- "Student parent committee" is die vergadering waarvan ek praat.

Hierdie betrokke vergadering, was dit h stigtingsvergadering van een of ander komitee of nie? -- Nee. (20)

Laat ek vir u so vra, die begrafnis van Douglas Mchunu op 4 November 1984 hoe lank na of voor hierdie begrafnis was hierdie vergadering? -- Dit was om en by in Novembermaand wat hierdie vergadering gehou was, as ek reg is na die begrafnis.

Was mev. Thobela ook daar? -- Ek het wel mnr. Thobela gesien.

Moet ek nou daarvan aflei mev. Thobela was nie daar nie? -- Dit sal ek nie met sekerheid kan sê nie, want as u nou by h plek kom in h saal en jy vind mense daar sit, kan jy (30)

nou/...

nou nie almal in die gesig gaan kyk om te sien wie die een is nie.

Die voorsitter van hierdie vergadering, was dit nie mnr. Thobela nie? -- Ek het opgemerk dat mnr. Thobela en mev. Motoedi het mekaar beurte gegee op die verhoog om met die gehoor te praat. So, beide van die twee het daar iets te doene gehad met die gehoor.

Van die sprekers wat daar opgetree het, was daar sprekers van COSAS? -- Daar was kinders gewees wat gepraat het na dit gesê was dat die kinders nou aan die ouers moet verduidelik(10) h Seun en h meisie wat skoliere is het toe gepraat, maar ek het nie geweet van watter organisasie die twee was nie.

Is die meisie nie dalk Sonto Thobela nie? -- Nee, ek ken vir Sonto.

Ken jy h seun met die naam van Willie Mazibuko? -- Nee, ek ken hom nie.

Het u die skoliere wat sprekers was geken? -- Ek ken hulle nie. Met my aankoms by die vergadering het ek gevind dat daar kinders was. Hier is h versoek dat die kinders nou vir die ouers moet kom sê van wat hulle wil sê en h kind (20) staan daar op en begin praat. Dit is h onbekende kind aan my.

Is daar op die vergadering besluit dat die ouers sal die kinders steun in hulle eise? -- Nee, die ouers se besluit was dat hierdie komitee waarvan ek nou net gepraat het moet met die prinsipale gaan praat, dat hulle onder mekaar kan sien met die skoolhoofde wat hulle hieromtrent kan doen.

En is dit korrek, die skoliere het gesê hulle boikot tot aan hulle eise voldoen is? -- Ja, dit is die waarheid.

In die algemeen oor die vergaderings wat u bygewoon (30) het. Is u eerste weg by die vergaderings of het u in h groep/...

groep na die vergaderings toe gegaan of hoe het die ding gewerk? -- Ek het elke keer alleen na die vergaderplek toe gegaan en natuurlik dan mense by die ingang ontmoet wat ook daar die vergadering kom bywoon het en dan stap ons sommer saam in.

U het nie by die vergaderplek agtergebly en gestaan en gesels tot almal weg is nie? -- Nee, dit het nog nie gebeur nie. As ek gesels het, het ek gesels met die mense gesels terwyl ek saam met hulle uitstap, nie dat ek agtergebly het in die saal en met die mense daar gestaan en (10) gesels het nie, nee.

Ek wil met u gaan na die begrafnis van 4 November 1984. Hoe het dit gekom dat u hierdie begrafnis bygewoon het? Vir watter rede? -- Is dit Mchunu se begrafnis?

Ja? -- Die broer van die oorledene is my medewerker.

Was hier by hierdie begrafnis in die stoet wat u gesien het enige baniere? -- Met my aansluiting by hierdie stoet het ek geen banier gesien nie, behalwe van die werkers se baniere wat ek gesien het. Dit was net die werkers se baniere wat daar teenwoordig was. FOSATU byvoorbeeld. (20)

U het geen baniere van COSAS daar gesien, van die skoolkinders nie? -- Nee, ek het dit nie gesien nie.

Was daar skoliere, jong kinders in die stoet? -- Ja, daar was kinders en ouers teenwoordig daar.

Was van die kinders nie gekleed in hulle COSAS T-hempies nie? -- Daar was van hulle wat daarin gekleed was.

Is dit nie ook so dat langs die pad het die mense geloop en sing nie? -- Ja, daar was gesing gewees.

Het jy saam gesing? -- Ja, ek was mos ook op pad na die begrafnis toe in die stoet. Ek het gesing. (30)

Wat/...

Wat is gesing? Kan jy onthou? -- Ja, Thembani Basebenzi Kobuye Kulunge.

Kan u dit net vir ons vertaal, mnr. Die Tolk? -- Dat die werkers moed moet hou, op die ou end sal dit reg word.

Is daar 'n klomp, verskillende liedere gesing in die stoet? -- Ja, nog een wat ek gehoor het was Siyaya Epitoli.

Is dit reg dat die liedere wat in die algemeen in die stoet gesing was was nie kerkliedere nie, dit was werkers liedere en ander tipe liedere en nie kerkliedere nie? -- Ja, ek sal so sê. Ek stem saam. (10)

Dit is soos dit algemeen onder julle bekend staan vryheidsliedere wat julle gesing het? -- Vryheid?

"Freedom songs"? -- Ja, ek hoor dit word gesing. Ja, dit was.

En daar is ook gesing liedere met woorde in van die name van Mandela en Tambo en dié tipe van liedere? -- Vandat ek aangesluit het by die stoet het ek nie daardie tipe liedere gehoor dat daar gesing word nie. Ek weet nie voor my aansluiting wat hulle alles gesing het nie.

Is daar gesing van Umkhonto we Sizwe of net Umkhonto? (20) -- Nee, ek onthou dat Senzeni na daar gesing was. Dit het ek gehoor.

Hoe ver van die voerpunt van hierdie stoet af het u ingeval in die stoet? -- Ek was nie baie ver gewees van die voerpunt van die stoet nie, want ek kon duidelik sien. Eintlik kon ek die kis ook sien vanwaar ek was.

Was daar nie in die omgewing van die kis baniere gedra deur die mense nie? -- Ek het nie baniere gesien nie, behalwe dié wat ek alreeds genoem het. Baniere wat ek daar gesien het was baniere van FOSATU. (30)

As/...

As u nou agter die kis geloop het en die kis word nou daar bo in die lug gedra, hoe sou u gesien het of daar iets bo-oor die kis gegooi is? -- In die eerste plek is ek hoog genoeg. Ek is 'n lang man. As 'n mens 'n kis op die skouer dra gaan daardie kis se hoogte bokant die draer se kop wees. Dus 'n persoon van my hoogte is in staat om daardie kis te sien.

Terwyl die stoet aan die gang was, het die mense tussen die singery deur ook slagspreuke geskreeu. Is dit reg? -- Waar? Heel voor of waar sê u?

Die mense in die stoet orals? Van tyd tot tyd het (10) hulle slagspreuke geskreeu? -- Nee, ek het dit nie gehoor nie.

Was daar 'n lykswa by hierdie stoet? -- Ja, daar was.

Het hy voor of agter die kis gery? -- Voor.

En was daar ook 'n ander klomp motoriste gewees met karre in die stoet? -- Ja, daar was voertuie gewees, maar sal nie kan sê dat hulle soveel was nie.

Was daar baie mense by hierdie begrafnis? -- Ja, wat voetgangers was.

Ongeveer hoeveel voertuie was in die stoet daar voor gewees? -- Omtrent agt. (20)

Waar het u in die stoet geloop omtrent? In die middel, agter of waar? -- Agter, bedoel u by die heel agterste punt van die stoet?

As die mense wat daar loop opgedeel word in twee helftes, was u in die voorste helfte of in die agterste helfte? -- Die voorste helfte.

Ek stel aan u daardie kis het 'n swart, groen en geel lap opgehad?-- Ek het nie so 'n lap gesien nie. Al is dit miskien dat daar so 'n lap was, maar op die tydstip wat ek teenwoordig was, het ek dit nie gesien nie. (30)

Ek/...

Ek wil met u gaan na 26 Februarie 1985. Dit is die begrafnis van Lucky Mkhwanazi. Is dit nie so nie dat hierdie begrafnis was aanvanklik beplan vir 'n dag oor die naweek en toe is die begrafnis verbied en daar is gesê dit mag net op 'n weeksdag wees? -- Ek het so gehoor, ja.

En daar was baie mense op hierdie begrafnis van 26 Februarie 1985? -- Ja, hulle was vreeslik baie.

Volwassenes veral? -- Ja, dit was volwassenes en kinders gewees.

Hierdie Lucky, kan u vir die hof sê hoe oud was hy? (10)
-- Ja, hy was in die ouderdom van 10 of 11, maar nie ouer as dit nie, volgens my skatting.

Is dit nie so nie dat die betrokke dag toe die begrafnis nou wel in die week plaasvind toe was daar ook 'n "stay-away", 'n wegbly-aksie aan die gang in Duduza spesiaal vir die begrafnis? -- Dit is so.

En by hierdie begrafnis was daar ook vryheidsliedere gesing? -- Ja.

Dieselfde soort as die voriges wat u gesê het of was daar ander vryheidsliedere gesing? -- Dié wat ek nou net (20) pas genoem het was ook daar gesing gewees. Daar was wel nog ander wat ek nie meer kan onthou nie, maar daar was.

Was daar nie op hierdie begrafnis gesing van Mandela en Tambo en Umkhonto nie? -- Ek het gehoor Mandela word daar geskreeu.

Op watter stadium was dit gewees? By die huis, in die stoet of waar? -- By die huis na die kerkdienste wat gehou was.

Dit was nou voor die polisie gekom het? -- Ja.

As die mense so Mandela geskreeu het, dan het hulle met die gebalde vuus in die lug gedans? -- Nee, wat dit (30)

betref/...

betref, sal ek sê in die singery was daar die dansery gewees. Dit was nie net met die spesifieke uitroep van Mandela se naam dat mense eers begin dans het nie. Nee.

Laat ons net duidelikheid kry. Hierdie singery en die skreeuery, het dit maar sporadies voorgekom tydens hierdie hele begrafnis vandat die stoet na die begraafplaas toe gegaan het tot hy weer daar by die oorledene se huis teruggekome het, het die mense so aangegaan? -- Nee, dit is net tydens die stoet dat daar gesing was, maar op pad terug vanaf die begraafplaas het mense sommer so daar los geloop en (10) stadig.

HOF : U praat van by die huis na die kerkdien wat gehou is. Watter kerkdien praat u van? -- Ek praat van net voor die kis uit die huis uit was, dit wil sê vanaf die perseel van Lucky na die begraafplaas toe met die stoet, was daar gebid gewees. Dit is daardie gebed waarna ek verwys as die kerkdien.

MNR. FICK : U sê daar is geskreeu en u het gehoor van Mandela. Wat anders is op daardie stadium geskreeu? -- Hier is nou baie mense wat sing en skreeu. Ek kan nie alles onthou (20) wat die mense daar gesing en geskreeu het nie. Dit het nie by my geregistreer sodat ek dit vandag nog kan onthou nie. Dus kan ek nie die res van wat daar gesing of geskreeu was onthou nie.

Hierdie wegbly-aksie wat daar gereël was vir hierdie dag, wie het dit gereël? --Nee, ek weet nie.-

Usself het natuurlik ook weggebly van die werk af die dag met die begrafnis? -- Ja, ek het deelgeneem aan die wegbly-aksie want toe ek die môre opgestaan het, het ek gevind dat die mense nie werk toe gaan nie en daar was (30)

ook/...

ook nie vervoer nie. Ek het toe ook maar gebly.

Ek wil met u gaan na die voorval toe u teruggekom het van die graf af by die huis van die oorledene. Die mense wat daar by die huis was om hande te was, was hulle net so baie mense? -- Ek sê hulle was baie, ja, selfs by die huis van die oorledene na die begrafnis. Soos u ook nou weet (met verwysing na die tolk) as ons 'n begrafnis bygewoon het, is die gewoonte dat ons moet terugkom na die huis van die oorledene toe om hande daar te kom was.

En daar was duisende mense by die huis? -- Daar was (10) nie duisende mense gewees wat op die perseel van die oorledene se huis was nie. Mense was nog besig om aan te kom met verskillende paaie wat verby die huis van die oorledene sou gelei het.

Daar het baie mense in die straat gestaan ook by die huis? -- Ja, is dit nie so nie dat die mense mos nie werk toe was nie?

Nee, ek praat nie van ander mense nie, ek praat van hier by die huis soos u sê om te kom hande was? -- Ja, mense het daar opgedaag, hande gewas en toe kos gaan kry. (20)

HOF : Die hande was, was dit in die straat? -- Ja, kyk, die baddens wat gebruik word word in die straat neergesit omdat ons persele daar klein is.

En die kos? -- Die kos word reggesit by die omheiningsdraad na die straat se kant toe. Wat dan gebeur is, 'n mens loop net verby daardie omheiningsdraad waar die kos geskep word en aan die persoon bedien word.

So, daar was 'n samedromming van mense in die straat dan? -- Hulle was nog nie baie gewees nie. Daar was wel mense daar, maar net toe hulle begin aankom in groot getalle, (30)

het/...

het die polisie daar te voorskyn gekom en die traangas geskiet.

MNR. FICK : Die oorledene is dood in 'n skietongeluk. Is dit reg? Skietvoorval? -- Dit is so.

En is dit reg, dit was aanvaar daar by die gemeenskap en by die huis van die oorledene dat die polisie het die kind geskiet of die veiligheidsmagte? -- Ek het nie net van ander mense gehoor nie. Ek het van Lucky se ouma in wie se geselskap Lucky was toe hy sy dood ontmoet het gehoor.

Is dit nie so nie, die weergawe van wat u sê die (10) polisie gedoen het is nie heeltemal reg nie? Is dit nie so nie dat hierdie mense het oproerig geraak en moeilik geraak toe hulle die polisie sien en hulle is hier op die begrafnis van een wat hulle - die algemene aanvaarding is dat die polisie verantwoordelik is vir hierdie kind se dood en toe het die mense by die huis oproerig geraak? -- Nee, ek sal dit nie kan sê nie, behalwe dat ek vir die hof kan sê dat die polisie wel daar verby is en daar het niks gebeur nie.

K1279 Wanneer is die polisie daar verby wat daar niks gebeur (20) het nie? -- Ek praat van voor die dag van die begrafnis.

Nee, nee, ek praat van die dag van die begrafnis. Is dit nie so dat van hierdie mense wat op die begrafnis, die duisende mense het kwaad geword toe hulle sien hier gaan die polisie of hier is die polisie en die polisie is die mense wat die algemene aanvaarding daar is dat hulle is verantwoordelik vir hierdie kind se dood en toe het hulle moeilik geraak nie? -- Ek weet nie wanneer en op watter stadium toe kon gebeur het nie, want ek sê ek het by die oorledene se huis aangekom, voor daar nog enigiets gebeur het en daar (30)

het/...

het niks gebeur tot op die stadium wat die polisie geskiet het. Daar was niks wat aan die gang was nie.

Al wat die polisie gedoen het volgens u is, hulle het traanrook geskiet, hulle het oor die bakke met water gery en hulle het op 'n later stadium weer traanrook in die kos geskiet. Is dit reg? -- Dit is so, ja.

Op watter stadium is u daar weg? Onmiddellik nadat hulle die traanrook in die kos geskiet het of het u nog 'n rukkie gebly voordat u weggegaan het? -- Ek het daar aangekom, my hande gewas en vir 'n rukkie daar vertoef. Hier kom die (10) polisie, hulle skiet met die traangas, ry oor die baddens. As gevolg daarvan is ek toe huis toe.

Op watter stadium het u gesien hulle skiet die traanrook in die kos? -- Dit is - wat gebeur het daar is die volgende. Na die polisie oor die baddens gery het, is ek huis toe op daardie stadium. Hulle is toe verby. Toe hulle oor die baddens gery het, is ek huis toe. Na hulle verby is, is ek terug na daardie toneel toe om te gaan kyk wat se skade aan die baddens gedoen word. Die mense is nou besig om aan te kom. Terwyl ek daar staan en kyk na die skade aan die (20) baddens wat die water bevat het, kom die polisie weer daar en skiet die traangas toe op die kos.

Die eerste keer toe die polisie traangas geskiet het, het hulle net een skoot geskiet. Is dit reg? -- Nee, ek het twee van hulle gesien waar rook getrek het. Toe het ons weggehardloop.

Op die erf? -- Nee, maar ek sê die baddens was in die straat gewees. Ons was by die baddens met die water en hulle skiet na die mense wat by die baddens staan.

Die tweede keer toe traanrook geskiet is, was dit (30)

weer/...

weer net een skoot of was dit twee skote? -- Hulle het baie skote gevuur.

Met traanrook? -- Ja.

Is daar iemand fisies beseer die dag deur die polisie? Behalwe nou mense wat deur die traanrook aangetas is? -- Ek het huis toe gehardloop, weggehardloop. Later het ek opgemerk dat iemand se elmboog beseer was en die persoon sê toe dat hy geskiet was met "bird shot".

Het u gesien toe dit gebeur het? -- Nee, ek het nie gesien nie. Ek het net gesien hier is 'n elmboog soos aangedui (10) word, die linkerelmboog wat rooi was en dat hy aan die elmboog beseer was.

Is dit al beserings wat u gesien het die dag? -- Ja.

U sien, hoekom ek vir u vra is, daar is 'n ander weergawe oor wat hier sou gebeur het in BEWYSSTUK AAC55 op bladsy 5. Ek sal dit uitlees dan is dit op rekord. Dit is die SASPU National van Maart 1985 volume 2 die vierde kolom die vierde paragraaf. Daar word gesê "It is customary after a funeral for all to wash their hands in a bath of water before eating together." Dit is onder die opskryf "Duduza kicks the (20) bucket and battles with the board." "The police turned over the baths, threw the food onto the ground and fired teargas." Hier is nou al 'n paar weersprekings tussen wat u sê en wat hier berig word. Hier word beweer dat die polisie het die baddens omgegooi. U sê hulle het oor die baddens gery? -- Ek getuig oor ek gesien het wat in my teenwoordigheid plaasgevind het. Ek het gesien dat die polisie oor die baddens daar gery het en nie omgegooi het nie en daar was traangas geskiet. Die kos waarna verwys word het wel op die grond geval as gevolg van die mense wat (30) weggehardloop/...

weggehardloop het met die skietery van die traangas.

Maar die polisie het dit nie op die grond gegooi nie? -- As dit gebeur het moes dit in my afwesigheid plaasgevind het want toe die traangas geskiet is die tweede keer het ek weggehardloop. Met die weghardloop het ek gesien dat mense die kos omgestamp het en dat die kos geval het. As daar beweer word dat die polisie die kos uitgegooi het op die grond, dan sou dit plaasgevind het na ek weg is, want ek kon nie daar gewag het vir die skietery nie.

En die verdere bewering van "And a student ran with (10) a bucket of water to drown the teargas cannister, the police shot his body full of birdshot. He is in a critical condition, says a COSAS member." Dit is ook 'n klomp onsin volgens u? -- Ek sal nie kan sê hoe hy beseer is nie. Ek sê vir die hof hier dat ek net gesien het dat hy alreeds beseer was. Hoe dit gekom het dat hy beseer is, sal ek nie kan sê nie.

HOF : Het hy dan rondgeloop? -- Ja, hy het self geloop. Iemand het die arm hoog gehou, maar die persoon het self geloop. (20)

MNR. FICK : Net laastens oor hierdie begrafnis wil ek aan u stel dat u weergawe dat die polisie hier sou gekom het en op mense wat stil en rustig en stemmig was sou begin skiet het, is vals? -- Ek, die persoon wat daar teenwoordig was, sê dat toe hulle begin het om te skiet het daar nog niks gebeur nie.

Net so terloops, by die begrafnis van Douglas Mchunu, 4 November 1984, het u ook gaan hande was? -- Ja.

En daar was ook kos gewees na die tyd? -- Daar is altyd kos by 'n begrafnis en daar was kos gewees. (30)

En/...

En die polisie het nie daar ingetree en sommer wild en wakker op die polisie begin skiet nie? -- Ja.

Ek wil met u gaan na die begrafnis van 18 Mei 1985. Was daar by hierdie begrafnis ook vryheidsliedere gesing op een of ander stadium? -- Is dit nou Thobela se begrafnis wat u van praat?

Korrek? -- Ja, by die begrafnis was daar ook alle tipe liedere gesing.

Het u by hierdie begrafnis ook gehoor hoe skreeu hulle onder andere Mandela? -- (10)

MR TIP : Could my learned friend put that more precisely? "Onder andere Mandela" is not a fair way to put it to the witness.

MNR. FICK : Het u gehoor dat daar ook geskreeu word die naam Mandela? -- Terwyl ek nog by die saal was, het ek dit nie gehoor nie.

Nee, op enige stadium by die begrafnis? -- Ja, daar buite het ek gehoor dat iemand skreeu. Dit was nie al die mense wat daar buite in die stoet was wat geskreeu het nie, maar daar was wel mense wat geskreeu het. (20)

As u praat van die stoep, is dit die stoep van die saal of die stoep van die huis? -- Stoet.

Ek is jammer. Is daar enigiets anders ook geskreeu in die stoet? -- Ja, hulle het geskreeu met die oog daarop om die Thobela gesin te kalmeer oor wat met die gesin gebeur het.

HOF : Kan n mens iemand kalmeer deur te skreeu? -- Wat ek daarby bedoel is dat in n saal, as jy nou iemand probeer kalmeer, kan jy nie vir daardie persoon gaan fluister nie.

MNR. FICK : Is daar enige ander slagspreuke geskreeu? (30)

Kom/...

Kom ek gee vir u voorbeelde. "Amandla Ngawethu" op enige stadium tydens die begrafnis? -- Ja.

"Mayibuye e Afrika"? -- Wat ek die meeste gehoor het wat geskreeu was was "Amandla".

Watter is die ander wat u nie so baie gehoor het nie. Is "Mayibuye e Afrika" een? -- Oor die "Afrika" het ek niks gehoor wat hulle geskreeu het nie. Wat die meeste geskreeu was daar was "Amandla".

Wat is die ander wat u gehoor het wat geskreeu is? -- Die sprekers byvoorbeeld, as 'n persoon opstaan om te gaan(10) praat, voor hy begin met die toespraak, het die persoon daar gesê "Amandla" en dan begin praat.

Antwoord nou maar net die vraag. Watter ander slag-spreuke het u nog gehoor behalwe "Amandla"? -- Ek het nie een gehoor nie.

Die slagspreuke wat geskreeu is, u sê die spreker het dit geskreeu in die saal. Het u dit ook gehoor in die stoet? -- Nee, met die loperie daar in die stoet was daar gesing gewees.

Was daar nie baniere in hierdie stoet nie? -- By (20) Thobela se begrafnis was daar baniere gewees.

U het in u hoofgetuienis gesê daar was. Wat se baniere sê u hierdie keer was daar? -- Baniere daar wat ek gesien het was van die "youth congress", COSAS en 'n paar T-hemde van COSAS.

Was daar nie vakbonde se baniere ook by hierdie begrafnis nie? -- By Thobela se begrafnis?

Ja? -- Ek onthou nie meer nie.

Hierdie "youth congress" wat u van praat, is dit die Duduza Youth Congress? -- Ja. (30)

Wat/...

Wat het hulle gemaak by hierdie begrafnis? Weet u? --
Nee, ek weet nie.

Het hulle nie opgetree daar by die begrafnis op een
of ander stadium nie? -- Nee, ek weet nie wat hulle gedoen
het nie. Wat dit betref weet ek niks nie.

Hoekom ek vir u vra is, hier is vir hierdie hof vertel
die Duduza Youth Congress is 'n koor? -- Nee, ek sal nie kan
sê watter soort van 'n organisasie hulle is nie. Ek weet
nie.

HOF : Hulle het nie opgetree as 'n koor nie? -- As mense (10)
sing is dit vir my moeilik om vir die hof te kan sê wat
hulle is, want dit is mense wat sing. So, ek kan nie vir
die hof sê wie gesing het en as wat die persoon gesing het
nie.

MNR. FICK : U is na die graf toe, het u gesien wat gebeur
met die mense agter in die stoet? -- Nee, ek het nie gesien
nie.

Is dit korrek dat hierdie baniere is na die begraafplaas
toe gedra ook? -- Op pad na die begraafplaas toe was die
baniere ook daar gewees. (20)

U sê toe die begrafnis klaar is, is daar op 'n stadium
traanrook gegooi deur die polisie. Waar was die polisie
gewees? -- Hulle het van voor af gekom. Dit wil sê die
teenoorgestelde rigting van die mense wat weggestap het
vanaf die begraafplaas.

Laat ons net een ding duidelik kry. Is dit ook so
dat by hierdie begrafnis van Sonto Thobela was daar der-
duisende mense, baie?

HOF : Derduisende beteken 'n baie vae begrip. Meer as 'n
duisend mense, meer as vyfduisend mense? Wat is derduisende?
(30)

MNR. FICK/...

MNR. FICK : Ek het nie 'n totaal êrens ooit wat ek kan opspoor nie, daarom sê ek so.

HOF : Dan moet u vir die getuie darem iets makliker gee as derduisende. 'n Paar duisend mense?

MNR. FICK : 'n Paar duisend? -- Die mense was heelwat baie daar gewees, maar ek kan nie sê hoeveel hulle was nie behalwe om net vir die hof te sê hulle was baie nie.

En die mense wat by die graf weggestap het, het hulle stil en rustig gestap en geen probleme gemaak nie en toe skiet edie polisie weer op hulle? -- Ja. (10)

HOF VERDAAG TOT 30 MAART 1988.